

Article - Natural Resources

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§3–102.

(a) To assist with the preservation, improvement, and management of the quality of air, land, water, and natural resources, and to promote the health and welfare of the citizens of the State, it is the intention of the General Assembly in enactment of this subtitle to provide for dependable, effective, and efficient water supply and purification and disposal of liquid and solid wastes, to encourage reductions in the amount of waste generated and discharged to the environment and the generation of energy and the recovery of useable resources from such waste to the extent practicable; to promote the conservation of energy usage and to enable and provide for the production of energy from solid wastes and renewable and other sources; to encourage private sector participation in environmental protection; and to serve its political subdivisions and economic interests. For these purposes, the General Assembly creates an instrumentality of the State constituted as a body politic and corporate to provide water supply wastewater purification and disposal, solid and hazardous waste disposal, and energy conservation, generation, and transmission services in compliance with State and federal laws, regulations, and policies governing air, land, and water pollution to public and private instrumentalities, and with safeguards to protect the autonomy of the political subdivisions and the rights of the private entities it serves. It is also the intent of the General Assembly that the instrumentality may not participate in competitive bidding with the private sector to provide its services.

(b) This subtitle shall be liberally construed to effect its purposes. However, nothing contained in it shall restrict any control which the Departments of the Environment and Natural Resources, or of their units, are empowered to exercise over any water supply, wastewater purification, solid waste disposal, or energy project authorized by this subtitle, nor interfere with or affect the operation of existing wastewater purification, water supply, solid waste disposal, or energy projects found by the Secretary of the Environment to be adequately and lawfully operated by municipalities having jurisdiction or responsibility for them, except by their express consent and agreement. Nothing in this subtitle shall restrict any control which the Public Service Commission is empowered to exercise over any energy project authorized by this subtitle.

(c) Nothing in this subtitle shall be construed to alter, change, or modify the zoning or land use planning authority of any municipality or public instrumentality or cause a municipality or public instrumentality to take action inconsistent with the county solid waste management plan required under Title 9, Subtitle 5 of the Environment Article.

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